

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

FILED  
CLERK U.S. DISTRICT COURT  
DISTRICT OF DELAWARE  
2005 JUL 21 PM 2:42

CRYOVAC INC.,

Plaintiff/Counter-Defendant,

v.

PECHINEY PLASTIC PACKAGING,  
INC.,

Defendant/Counter-Plaintiff.

Civil Action No. 04-1278-KAJ

**ORDER**

For the reasons set forth by the Court during the teleconference today,

IT IS HEREBY ORDERED that plaintiff's motion for leave to file amended complaint (D.I. 47) is GRANTED; and defendant's motion to exclude declaration of Jeffrey Gardner (D.I. 56) is DENIED AS MOOT.

  
UNITED STATES DISTRICT JUDGE

Dated: July 21, 2005  
Wilmington, Delaware